

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

ADRIANA VICTORIA RIVERA

v.

TEXAS STATE TECHNICAL COLLEGE  
- MARSHALL

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Case No. 2:12-CV-559-JRG-RSP


**ORDER**

Currently before the Court is the Report and Recommendation signed by Magistrate Judge Roy Payne on September 10, 2013 (Dkt. No. 63) recommending that Defendant's Motion for Summary Judgment (Dkt. No. 26) be denied.

The Court has considered the Objections filed by Defendant. Defendant reurges the grounds set forth in its Motion, but has failed to meet the burden of showing "that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law." Fed. R. Civ. P. 56(a). Having considered those Objections, and finding them to be without sufficient merit, the Recommendation is adopted. Accordingly,

IT IS ORDERED that Defendant's Motion for Summary Judgment (Dkt. No. 26) is **DENIED**.

**So ORDERED and SIGNED this 18th day of October, 2013.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE